

Attorneys for Plaintiffs and Counter-Defendants
Mai Christina Pham, John Pham, Mai Nguyen,
Hung Perry Nguyen, Joyce Freeman, and
Christopher Hake

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

In re	)	Case No. C 08-00201 JW
)	
COMMUNITY LENDING, INCORPORATED, a	)	Honorable James Ware
California corporation,)	
	)	Bankruptcy Case No. 08-50030 (MM)
Debtor.)	
	)	Chapter 11
)	
MAI CHRISTINA PHAM, JOHN PHAM, MAI	)	Adv. Proc. No. 08-05006
NGUYEN, HUNG PERRY NGUYEN, and)	
JOYCE FREEMAN,	)	PLAINTIFFS' AND COUNTER-
	)	DEFENDANTS' NOTICE OF MOTION
Plaintiffs,	)	AND MOTION FOR SUMMARY
	)	JUDGMENT
vs.)	
	)	Date: September 22, 2008
COMMUNITY LENDING, INCORPORATED, a	)	Time: 9:00 a.m.
California corporation, and Does 1 through 10,	)	Courtroom: 8, 4th Floor
inclusive,)	
)	
Defendants.)	
)	

Case No. C 08-00201 JW

NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT on September 22, 2008, or as soon as they may be heard, Plaintiffs Mai Christina Pham, John Pham, Mai Nguyen, Hung Perry Nguyen, Joyce Freeman, and Christopher Hake ("Plaintiffs") will, and hereby do, move the United States District Court for summary judgment on the First and Third Causes of Action in the First Amended Complaint. This Motion is based upon Federal Rule of Civil Procedure Rule 56, this Motion, the attached Memorandum of Points and Authorities, the attached Declarations and Mai Christina Pham and Matthew Borden and exhibits thereto, the Declarations of John Pham, Mai Nguyen, Hung Perry Nguyen, Joyce Freeman, and Christopher Hake, and all other files and records in this action, and any further oral and documentary evidence as may be presented at or before the time of the hearing of this Motion.

Dated: June 16, 2008

LINER YANKELEVITZ
SUNSHINE & REGENSTREIF LLP

By: _____/s/
Matthew Borden
Attorneys for Plaintiffs and
Counterdefendants Mai Christina Pham,
John Pham, Mai Nguyen, Hung Perry
Nguyen, Joyce Freeman, and Christopher
Hake